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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/886,427	06/20/2001	Charles P. Norman	SIRF-57565	7630
32605	7590	07/28/2005	EXAMINER	
MACPHERSON KWOK CHEN & HEID LLP 1762 TECHNOLOGY DRIVE, SUITE 226 SAN JOSE, CA 95110			LOUIS JACQUES, JACQUES H	
			ART UNIT	PAPER NUMBER
			3661	

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/886,427

Applicant(s)

NORMAN ET AL.

Examiner

Jacques H. Louis-Jacques

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-4, 7-10 and 13-23 is/are rejected.
- 7) ☐ Claim(s) 5, 6, 11 and 12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's remarks/arguments filed on May 17, 2005 have been entered and carefully considered by the examiner.

Applicant traversed the rejection stating that the "cell" described in the present application is not equivalent to cell used in the Krasner reference. According to Applicant, the "cell" in the present application describes a time-frequency point on the time-frequency uncertainty domain searched during a GPS signal acquisition. The term "cell" is used to refer to data used in GPS signal processing. In contrast, according to Applicant, the "cells" in Krasner are geographical regions or locations in a cell based communication system. Applicant added that "like Krasner, Wallstedt uses the term "cell" to denote a geographical service area within a cellular communication system."

The examiner disagrees for the following reasons.

First, it is noted that Krasner discloses a method and apparatus for acquiring satellite positioning signals (title). The method and apparatus of Krasner acquire satellite positioning system (PS) signals in an SPS receiver (abstract). Krasner discloses that information on time of day, approximate receiver location, and satellite positions are used to reduce the time to search and acquire signals from one or more SPS satellites (abstract). The cells used in the Krasner are related to time or frequency in the time-frequency uncertainty range or domain during signal acquisition. See column 3. Various different time-frequency domains are searched during the signal acquisition. Krasner, in column 10, provides an example of the use of the acquired signals in the time-frequency domain

or range. See also columns 15 and 16. As pointed above, the cells referred to Krasner relate to or are data used in GPS signal processing.

With regard to Wallstedt et al, Applicant contended, "the term 'cell' in Wallstedt does not relate to 'plurality of cells within a time/frequency uncertainty range'". Notwithstanding Applicant's arguments, the rejections applying the Wallstedt patent have been withdrawn. However, upon further consideration of the claims in light of the Krasner disclosure, claims 5-6 and 11-12 are found to contain allowable subject matter.

Accordingly, the claims are only rejected based on the Krasner patent.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4, 7-10, and 13-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Krasner [6,133,874].

Krasner discloses a method and apparatus for acquiring satellite positioning system signals. According to Krasner, an acquisition dwell on a plurality of cells within a time/frequency uncertainty range is performed to detect a set of cells having the largest correlation peaks (column 3); an initial verification dwell on the set of acquired cells above is performed by comparing the peak of each cell to a threshold and retaining those

cells having a peak at least as great as the threshold (figure 3). According further to Krasner, there is provided performing an acquisition dwell on another plurality of cells within the time/frequency uncertainty range to detect another set of cells having the largest correlation peaks (figure 9); performing a subsequent verification dwell on the retained cells and an initial verification dwell on the set of detected cells by comparing the peak of each cell to the threshold and retaining those cells having a peak at least as great as the threshold. See figures 3, 4 and 9-10. See also description at columns 10-15. Krasner also discloses a system and method for tracking (i.e., monitoring) the location or position of an object using signals transmitted by GPS satellites.

***Allowable Subject Matter***

4. Claims 5-6, 11-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art do not particular teach that the set of cells in the subsequent acquisition dwell after the first initial verification dwell has been performed (from step c) comprises 6-N cells having the largest correlation peak, where N is the number of cells retained as a result of the initial verification dwell whose peak is at least as great as the threshold (in step b).

***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacques H. Louis-Jacques whose telephone number is 571-272-6962. The examiner can normally be reached on M-Th 5:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on 571-272-6956. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3661

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jacques H Louis-Jacques  
Primary Examiner  
Art Unit 3661

/jlj

*Jacques H. Louis-Jacques*  
JACQUES H. LOUIS-JACQUES  
PRIMARY EXAMINER